

ORIGINAL



0000169373

Court S. Rich AZ Bar No. 021290  
Rose Law Group pc  
7144 E. Stetson Drive, Suite 300  
Scottsdale, Arizona 85251  
Direct: (480) 505-3937  
Fax: (480) 505-3925  
*Attorney for Energy Freedom Coalition of America*

RECEIVED

2016 MAR 31 P 4: 43

AZ CORP COMMISSION  
DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

DOUG LITTLE  
CHAIRMAN

BOB STUMP  
COMMISSIONER

BOB BURNS  
COMMISSIONER

TOM FORESE  
COMMISSIONER

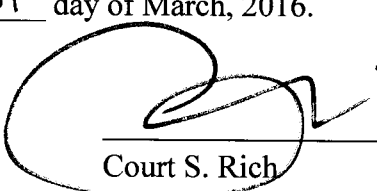
ANDY TOBIN  
COMMISSIONER

<b>IN THE MATTER OF THE</b>	)	<b>DOCKET NO. E-01933A-15-0239</b>
<b>APPLICATION OF TUCSON</b>	)	
<b>ELECTRIC POWER COMPANY</b>	)	
<b>FOR APPROVAL OF ITS 2016</b>	)	<b>THE ENERGY FREEDOM COALITION</b>
<b>RENEWABLE ENERGY STANDARD</b>	)	<b>OF AMERICA'S MOTION TO</b>
<b>AND TARIFF IMPLEMENTATION</b>	)	<b>ASSOCIATE COUNSEL PRO HAC VICE</b>
<b>PLAN.</b>	)	

The Energy Freedom Coalition of America ("EFCA") by and through its undersigned counsel, pursuant to Rule 39, Ariz. R. Sup. Ct., moves the Arizona Corporation Commission to associate Jeffrey Shinder and Richard O. Levine as counsel pro hac vice in the above referenced docket. In support of this motion and pursuant to Rule 39 (c)(1)(A), the following original documents are attached: (1) Verified Applications to Appear Pro Hac Vice; (2) Certificates of Good Standing; and (3) State Bar of Arizona Notice of Receipt of Complete Applications.

Court S. Rich hereby agrees to serve as local counsel in this matter and accepts the responsibilities detailed in Rule 39(b), Ariz. R. Sup. Ct.

Respectfully submitted this 31<sup>st</sup> day of March, 2016.

  
\_\_\_\_\_  
Court S. Rich  
Rose Law Group pc  
Attorney for EFCA

Arizona Corporation Commission

DOCKETED

MAR 31 2016

DOCKETED BY



1 **Original and 13 copies filed on**  
2 **this 41st day of March, 2016 with:**

3 Docket Control  
4 Arizona Corporation Commission  
5 1200 W. Washington Street  
6 Phoenix, Arizona 85007

7 Copies of the foregoing sent by electronic and regular mail to:

8 Janice Alward  
9 Arizona Corporation Commission  
10 1200 W. Washington Street  
11 Phoenix, Arizona 85007  
12 jalward@azcc.gov

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Phoenix, Arizona 85007  
dpozefsky@azruco.gov

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16 Phoenix, Arizona 85007-2927  
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19 Arizona Corporation Commission  
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21 Phoenix, Arizona 85007  
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Phoenix Arizona 85072  
kerri.carnes@aps.com

23 Bradley Carroll  
24 Tucson Electric Power Company  
25 MS HQE910, Post Office Box 711  
26 Tucson, Arizona 85702-0711  
27 bcarroll@tep.com

Thomas Loquvam  
Pinnacle West Capital Corp.  
P.O. Box 53999, MS 8695  
Phoenix Arizona 85072  
thomas.loquvam@pinnaclewest.com

28 By: 

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7144 E. Stetson Drive, Suite 300  
Scottsdale, Arizona 85251  
Direct: (480) 505-3937  
Fax: (480) 505-3925  
*Attorney for Energy Freedom Coalition of America*

BEFORE THE ARIZONA CORPORATION COMMISSION

DOUG LITTLE  
CHAIRMAN

BOB STUMP  
COMMISSIONER

BOB BURNS  
COMMISSIONER

TOM FORESE  
COMMISSIONER

ANDY TOBIN  
COMMISSIONER

**IN THE MATTER OF THE ) DOCKET NO. E-01933A-15-0239**  
**APPLICATION OF TUCSON )**  
**ELECTRIC POWER COMPANY )**  
**FOR APPROVAL OF ITS 2016 ) PROCEDURAL ORDER TO ASSOCIATE**  
**RENEWABLE ENERGY STANDARD ) COUNSEL PRO HAC VICE**  
**AND TARIFF IMPLEMENTATION )**  
**PLAN. )**

Based on the Motion to Associate Counsel Pro Hac Vice on behalf of the Energy Freedom Coalition of America and Court S. Rich to appear as local counsel, it is hereby ordered that Jeffrey Shinder and Richard O. Levine should be permitted to appear and participate in the above-captioned matter on behalf of the Energy Freedom Coalition of America.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
JANE L. RODDA  
ADMINISTRATIVE LAW JUDGE

Arizona Corporation Commission

Application of Tucson Electric Power for )  
Approval of 2016 Renewable Energy )  
Standard Implementation Plan )

CASE # E-09133A-150239

SBA App #1009472

**NOTICE OF RECEIPT OF  
COMPLETE APPLICATION**

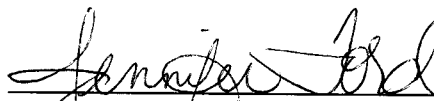
NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the  
verified application and fee from Jeffrey Shinder.

In addition to this application, applicant has made the following applications to appear pro hac  
vice, pursuant to Rule 39, within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?
-----------------	--------------	------	----------

Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of Good  
Standing are attached hereto.

DATED this 29<sup>th</sup> day of March 2016



Jennifer Ford, CAP  
Member Resources Administrator  
State Bar of Arizona

Original Mailed on this 29<sup>th</sup> day of March 2016 to:

Court S Rich  
Rose Law Group PC  
7144 E Stetson Dr Ste 300  
Scottsdale, AZ 85251-3267



Attn: Pro Hac Vice Dept  
P.O. Box 53099  
Phoenix, AZ 85072-3099  
Phone: 602-340-7239

For Official Use Only  
App# 1009472  
Bar Number# P198135

Overnight or Hand Delivery: 3.25.14  
4201 N. 24th St., Ste 100 \$490.00  
Phoenix, AZ 85016-6266 CK# 1952

### Application for Appearance Pro Hac Vice

#### **PART I: Applicant Information**

Name of Applicant: Jeffrey I. Shinder

Firm/Company Name: Constantine Cannon LLP

Office Address: 335 Madison Avenue, 9th Floor, New York, New York 10017

Telephone: 212-350-2700 Fax: 212-350-2701 Email Address: jshinder@constantinecannon.com

Residence Address: 30 West 63rd Street, Apt. 20D, New York, New York 10023

Title of cause or case where applicant seeks to appear: Application of Tucson Electric Power for Approval of its 2016 Renewable Energy Standard Implementation Plan

Docket Number: E-01933A-15-0239

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: Energy Freedom Coalition of America

#### **Pursuant to Arizona Supreme Court Rule 39(a)(4), the applicant shall complete the information below:**

Courts to Which Applicant Has Been Admitted: <small>(Attach additional pages if necessary)</small>	Date of Admission:	Bar Number:
<u>New York State</u>	<u>1994</u>	<u>2633196</u>
<u>Eastern District of New York</u>	<u>7/2/1996</u>	<u></u>
<u>United States Court of Appeals for the Second Circuit</u>	<u>3/9/05</u>	<u></u>
<u></u>	<u></u>	<u></u>

☒ Applicant is a member in good standing in such courts.

☒ Applicant is not currently disbarred or suspended in any court.

Applicant ☐ is / ☒ is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law. If yes, specify the jurisdiction, nature of investigation and contact information of the disciplinary authority investigating on an additional page.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Ariz. R. Sup. Ct., Rule 39(a) in the following:

Title of Matter:	Docket #:	Court or Agency:	App Granted? (Y/N)
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>

This case or cause ☐ is / ☒ is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, Applicant certifies that he/she will review and comply with appropriate rules of procedure as required in the underlying cause.

If applicable, please provide related or consolidated matter application or docket#

**PART II: Local Counsel Information**

Name of Arizona Local Counsel: Court S. Rich  
 State Bar of Arizona Number: 021290  
 Address: 7144 E. Stetson Drive, Suite 900, Scottsdale, AZ 85251  
 Telephone: (480) 505-3937 Fax: (480) 505-3925 Email Address: CRich@roselawgroup.com

- ☒ Local Counsel is a member in good standing.
- ☒ Local Counsel associating with a nonresident attorney in a particular cause shall accept joint responsibility with the nonresident attorney to the client, to opposing parties and counsel, and to court, board, or administrative agency in that particular cause.

**PART III: Parties and Certification**

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>Arizona Public Service Company</u>	<u>Thomas Loguam</u>	<u>PO Box 53999, MQ 8695, Phoenix, AZ 85072</u>
<u>Tucson Electric Power Company</u>	<u>Bradley Carroll</u>	<u>88 E. Broadway Blvd, MQ 85910, Tucson, AZ 85701</u>
<u>" " " "</u>	<u>Michael Patten</u>	<u>One American Center Phoenix, AZ 85004</u>
<u>Residential Utility Consumer Office</u>	<u>Daniel Podolsky</u>	<u>110 W. Washington, Suite 900, Phoenix, AZ 85007</u>

☒ Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$490.00. Fifteen percent of the non-refundable application fee paid pursuant to this section shall be deposited into a civil legal services fund to be distributed by the Arizona Foundation for Legal Services and Education entirely to approved legal services organizations, as that term is defined in subparagraph (f) of this rule.

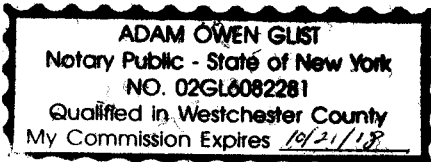
☒ Applicant is furnishing a certificate from the state bar or from the clerk of the highest admitting court of each state, territory, or insular possession of the United States in which the nonresident attorney has been admitted to practice law certifying the nonresident attorney's date of admission to such jurisdiction and the current status of the nonresident attorney's membership or eligibility to practice therein. The certificate furnished shall be no more than forty-five (45) days old.

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Ariz. R. Sup. Ct. Rule 46(b).
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

**Verification**

STATE OF New York  
 County of Westchester ss.



I, Jeffrey I. Shinder, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: March 23, 2016

Applicant's Signature: Jeffrey I. Shinder

SUBSCRIBED AND SWORN TO before me this 23rd day of March, 2016, by

Jeffrey I. Shinder  
 Name of Applicant

Adam Owen Gust  
 Notary Public

Appellate Division of the Supreme Court  
of the State of New York  
First Judicial Department

---

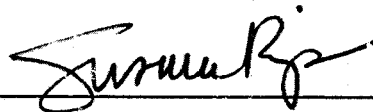
I, Susanna Rojas, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

**JEFFREY ISAAC SHINDER**

was duly licensed and admitted to practice as an Attorney and Counsellor at Law in all the courts of the State of New York on August 8, 1994, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counsellors at Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an attorney and counsellor at law.

In Witness Whereof, I have hereunto set my  
hand and affixed the seal of this court on

March 23, 2016



---

Clerk of the Court

Arizona Corporation Commission

Application of Tucson Elec Power for  
Approval of 2016 Renewable Energy  
Standard Implementation Plan,

CASE # E-01933A-150239

SBA App #1009471

**NOTICE OF RECEIPT OF  
COMPLETE APPLICATION**


NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the  
verified application and fee from Richard O Levine.

In addition to this application, applicant has made the following applications to appear pro hac  
vice, pursuant to Rule 39, within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?
-----------------	--------------	------	----------

Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of Good  
Standing are attached hereto.

DATED this 29<sup>th</sup> day of March 2016

  
\_\_\_\_\_  
Jennifer Ford, CAP  
Member Resources Administrator  
State Bar of Arizona

Original Mailed on this 29<sup>th</sup> day of March 2016 to:

Court S Rich  
Rose Law Group PC  
7144 E Stetson Dr Ste 300  
Scottsdale, AZ 85251-3267





Attn: Pro Hac Vice Dept  
P.O. Box 53099  
Phoenix, AZ 85072-3099  
Phone: 602-340-7239

For Official Use Only

App#

Bar Number#

Overnight or Hand Delivery:  
4201 N. 24th St., Ste 100  
Phoenix, AZ 85016-6266

### Application for Appearance Pro Hac Vice

#### **PART I: Applicant Information**

Name of Applicant: Richard O. Levine

Firm/Company Name: Constantine Cannon LLP

Office Address: 1001 Pennsylvania Avenue, NW, Suite 1300 North, Washington, DC 20004

Telephone: 202-204-3500 Fax: 202-204-3501 Email Address: rlevine@constantinecannon.com

Residence Address: 9402 Locust Hill Road, Bethesda, MD 20814

Title of cause or case where applicant seeks to appear: Application of Tucson Electric Power for Approval of its 2016 Renewable Energy Standard Implementation Plan

Docket Number: E-01933A-15-0239

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: Energy Freedom Coalition of America

#### **Pursuant to Arizona Supreme Court Rule 39(a)(4), the applicant shall complete the information below:**

Courts to Which Applicant Has Been Admitted:  
(Attach additional pages if necessary)

Date of Admission:

Bar Number:

District of Columbia Court of Appeals

January 10, 1975

203877

☒ Applicant is a member in good standing in such courts.

☒ Applicant is not currently disbarred or suspended in any court.

Applicant ☐ is / ☒ is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law. If yes, specify the jurisdiction, nature of investigation and contact information of the disciplinary authority investigating on an additional page.

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Title of Matter:	Docket #:	Court or Agency:	App Granted? (Y/N)
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>

This case or cause ☐ is / ☒ is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, Applicant certifies that he/she will review and comply with appropriate rules of procedure as required in the underlying cause.

If applicable, please provide related or consolidated matter application or docket#

**PART II: Local Counsel Information**

Name of Arizona Local Counsel: COURT S. RICH  
 State Bar of Arizona Number: 0211290  
 Address: 7144 E. Stetson Drive, Suite 300, Scottsdale, AZ 85251  
 Telephone: (480) 505-3937 Fax: (480) 505-3925 Email Address: CRICH@rsc.lawgroup.com

- ☒ Local Counsel is a member in good standing.
- ☒ Local Counsel associating with a nonresident attorney in a particular cause shall accept joint responsibility with the nonresident attorney to the client, to opposing parties and counsel, and to court, board, or administrative agency in that particular cause.

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Party:	Counsel of Record:	Address:
<u>Arizona Public Service Co.</u>	<u>Thomas Laguarda</u>	<u>PO Box 53999, MS B675, Phoenix, AZ 85072</u>
<u>Tucson Electric Power Co.</u>	<u>Bradley Carroll</u>	<u>88 E. Broadway Blvd, Suite 900, Tucson, AZ 85701</u>
<u>Residential Utility Consumer Office</u>	<u>Michael Patten</u>	<u>One Arizona Center, Phoenix, AZ 85004</u>
	<u>Daniel Jonefsky</u>	<u>110 W. Washington St. Phoenix, AZ 85007</u>

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$490.00. Fifteen percent of the non-refundable application fee paid pursuant to this section shall be deposited into a civil legal services fund to be distributed by the Arizona Foundation for Legal Services and Education entirely to approved legal services organizations, as that term is defined in subparagraph (f) of this rule.

Applicant is furnishing a certificate from the state bar or from the clerk of the highest admitting court of each state, territory, or insular possession of the United States in which the nonresident attorney has been admitted to practice law certifying the nonresident attorney's date of admission to such jurisdiction and the current status of the nonresident attorney's membership or eligibility to practice therein. The certificate furnished shall be no more than forty-five (45) days old.

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2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

**Verification**

STATE OF Washington, DC  
 County of District of Columbia ss.

I, Richard O. Levine, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

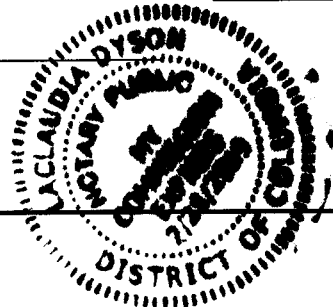
Dated: March 23, 2016

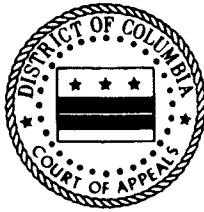
Applicant's Signature: Richard O. Levine

SUBSCRIBED AND SWORN TO before me this 23rd day of March, 20 16, by

Richard O. Levine  
 Name of Applicant

[Signature]  
 Notary Public





District of Columbia Court of Appeals  
Committee on Admissions  
430 F Street, N.W. — Room 123  
Washington, D. C. 20001  
202 / 879-2710

*I, JULIO A. CASTILLO, Clerk of the District of Columbia Court  
of Appeals, do hereby certify that*

***RICHARD O. LEVINE***

*was on JANUARY 10, 1975 duly qualified and admitted as an  
attorney and counselor entitled to practice before this Court and is,  
on the date indicated below, an active member in good standing of  
this Bar.*

*In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this Court  
at the City of Washington, D.C.,  
on March 23, 2016.*

JULIO A. CASTILLO  
Clerk of the Court

By:

*Michelle Lane*  
Deputy Clerk